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MINUTES OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA
FOR SPECIAL MEETING HELD ON TUESDAY EVENING, DECEMBER 8, 2008

The City Council met at 6:30 pm, on the above-mentioned date, for a Closed Session in the Council Conference Room for a Conference with Agency Labor Negotiator pursuant to Government Code Section 54957.6; City Negotiator: Jennifer Sparacino, City Manager (or her designee); Employee Organization(s): Unit #3 - IBEW Local 1245 (International Brotherhood of Electrical Workers), Unit #4 - City of Santa Clara Professional Engineers, Units #5, 7 & 8 - City of Santa Clara Employees Association, Unit #6 - AFSCME Local 101 (American Federation of State, County and Municipal Employees), Unit #9 - Miscellaneous Unclassified Management Employees and Unit #10 - PSNSEA (Public Safety Non-Sworn Employees Association) and for a Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 regarding Property: APN 104-43-051, APN 104-43-052, APN 104-43-030, APN 104-42-014 and APN 104-42-019; Negotiating Party(ies): Cedar Fair and the San Francisco 49ers; City Negotiator: Jennifer Sparacino, City Manager (or her designee); Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment).

The Council then met at 8:04 pm for a Special Meeting in the City Hall Council Chambers. The meeting was opened with the recitation of the Pledge of Allegiance and the reading of the Invocation-Prayer.

Present: Council Members Dominic J. Caserta, Will Kennedy, Patrick Kolstad, Joe Kornder, Jamie McLeod and Kevin Moore and Mayor Patricia M. Mahan.

Staff present: City Manager, City Attorney and City Clerk/City Auditor.

- 3.A As an item under Reports for Council Action, the Council considered the Acting Director of Human Resources memo (12/05/08) regarding the request to adopt the Total Compensation Array for Unclassified Police Management (Unit 9A). The City Manager reviewed the memo. MOTION was made by Caserta, seconded and unanimously carried, that the Council **approve**, and authorize the City Manager to execute, the Total Compensation allocation of 5% for Unclassified Police Management (Unit 9A), which results in a 4.95% salary increase, effective the pay period beginning December 14, 2008; **delegate** authority to the City Manager the responsibility to make any changes to the array based on any adjustments to their discretionary or mandatory allocations; **approve** the final Total Compensation Array; and

approve application of salary and fringe benefit changes to the elected position of Chief of Police, consistent with prior Council action.

3.B The Council proceeded to consider the Acting Director of Human Resources memo (12/05/08) regarding the request to adopt the Total Compensation Array for International Association of Firefighters (IAFF) Local 1171 (Unit 1). The City Manager reviewed the memo. MOTION was made by Caserta, seconded and unanimously carried, that, per the Acting Director of Human Resources (12/05/08), the Council **approve**, and authorize the City Manager to execute, the Total Compensation Allocation of 5% for the International Association of Firefighters Local 1171 (Unit 1), which results in a 4.34% salary increase, effective the pay period beginning December 14, 2008; **delegate** authority to the City Manager the responsibility to make any changes to the array based on any adjustments to their discretionary or mandatory allocations; and **approve** the final Total Compensation Array.

3.C The Council proceeded to consider the Acting Director of Human Resources memo (12/05/08) regarding the request to adopt the Total Compensation Array for Police Officers Association (POA) (Unit 2). The City Manager reviewed the memo. MOTION was made by Caserta, seconded and unanimously carried, that the Council **approve**, and authorize the City Manager to execute, the Total Compensation Allocation of 5% for the Police Officers Association (Unit 2), which results in a 6.233% salary increase, effective the pay period beginning December 14, 2008; **delegate** authority to the City Manager the responsibility to make any changes to the array based on any adjustments to their discretionary or mandatory allocations; and **approve** the final Total Compensation Array.

3.D The Council proceeded to consider the Acting Director of Human Resources memo (12/05/08) regarding the request to adopt the Total Compensation Array for Unclassified Fire Management (Unit 9B). The City Manager reviewed the memo. MOTION was made by Caserta, seconded and unanimously carried, that the Council **approve**, and authorize the City Manager to execute, the Total Compensation Allocation of 5% for Unclassified Fire Management (Unit 9B), which results in a 4.31% salary increase, effective the pay period beginning December 14, 2008; **delegate** authority to the City Manager the responsibility to make any changes to the array based on any adjustments to their discretionary or mandatory allocations; and **approve** the final Total Compensation Array.

3.E The Council proceeded to consider the Acting Director of Human Resources memo (12/05/08) regarding the request to adopt the Total Compensation Array for Employees' Association (Units 5, 7 & 8). Council Member Kolstad stated that he would be abstaining on the item because he is related to a member of the bargaining unit. He then stepped off the dais. The City Manager reviewed the memo. **MOTION** was made by Caserta, seconded and carried with Kolstad abstaining (related to member of bargaining unit), that the Council **approve**, and authorize the City Manager to execute, the Total Compensation Array for the Employees' Association (Units 5, 7 & 8), which includes a 5% salary increase effective December 14, 2008; **delegate** authority to the City Manager to approve the distribution of Total Compensation as well as sign and execute the Memorandum of Understanding once revision to the document has been completed; **delegate** authority to the City Manager to make any changes to the array based on Employees' Association decisions related to any adjustments to their discretionary allocations; and **approve** the final Total Compensation Array.

Council Member Kolstad returned to the dais.

3.F The Council proceeded to consider the Acting Director of Human Resources memo (12/05/08) regarding the request to adopt the Total Compensation Array for Miscellaneous Unclassified Management (Unit 9). The City Manager reviewed the memo. **MOTION** was made by Caserta, seconded and unanimously carried, that the Council **approve**, and authorize the City Manager to execute, the Total Compensation Array for Miscellaneous Unclassified Management (Unit 9), which includes a 5% salary increase effective December 14, 2008; **delegate** authority to the City Manager to approve the distribution of total compensation, as well as sign and execute the Memorandum of Understanding, which will include an adjustment effective December 14, 2008, once negotiations with all the other miscellaneous bargaining groups have concluded; **delegate** authority to the City Manager the responsibility to make any changes to the array based on Unit 9 Miscellaneous Unclassified Management decisions related to any adjustments to their discretionary and mandatory allocations; **approve** the final Total Compensation Array; and **approve** application of salary and fringe benefit changes to the Council appointed positions of City Manager, City Attorney and the elected position of City Clerk/Auditor, consistent with prior Council action.

4. The City Attorney stated that the Council held earlier in the evening at 6:30 pm a Closed Session in the Council Conference Room for a Conference with Agency Labor Negotiator pursuant to Government Code Section 54957.6; City Negotiator: Jennifer Sparacino, City Manager (or her designee); Employee Organization(s): Unit #3 - IBEW Local 1245 (International Brotherhood of Electrical Workers), Unit #4 - City of Santa Clara Professional Engineers, Units #5, 7 & 8 - City of Santa Clara Employees Association, Unit #6 - AFSCME Local 101 (American Federation of State, County and Municipal Employees), Unit #9 - Miscellaneous Unclassified Management Employees and Unit #10 - PSNSEA (Public Safety Non-Sworn Employees Association) and there was no reportable action and for a joint City Council and Redevelopment Agency Closed Session in the Council Conference Room for a Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 regarding Property: APN 104-43-051, APN 104-43-052, APN 104-43-030, APN 104-42-014 and APN 104-42-019; Negotiating Party(ies): Cedar Fair and the San Francisco 49ers; City Negotiator: Jennifer Sparacino, City Manager (or her designee); Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment) and there was no reportable action.

5.A There being no further business, the special meeting was adjourned at 8:12 pm to Tuesday evening, December 09, 2008 at 7:00 pm for the regular scheduled meeting in the City Hall Council Chambers.

ATTEST: _____

City Clerk

APPROVE: _____

Mayor